



Supreme Court – Middle Division  
Appellate Court Clerk's Office - Nashville  
100 Supreme Court Building  
401 7th Avenue North  
Nashville, TN 37219-1407  
(615) 741-2681

Judge Thomas A. Varlan  
United States District Judge  
Eastern Division United States District Court  
800 Market Street, Suite 130  
Knoxville TN 37902-9907

Re: M2021-01239-SC-R23-CV - GREG ADKISSON, ET AL v. JACOBS ENGINEERING GROUP, INC.

Notice: Initiating Document - SCt Rule 23 Certified Question

Attached to this cover letter, please find the referenced notice issued in the above case. If you have any questions, please feel free to call our office at the number provided.

cc: Dwight Edward Tarwater  
U. S. DISTRICT COURT OF TENNESSEE  
Judge Thomas A. Varlan  
Keith D. Stewart

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**GREG ADKISSON, ET AL v. JACOBS ENGINEERING GROUP, INC.**

**U. S. DISTRICT COURT OF TENNESSEE**

**3-13-CV-505-TAV-HBG, 3-13-CV-666-TAV-HBG, 3-14-CV-20-TAV-HBG, 3-15-CV-17-TAV-HBG, 3-15-CV-274-TAV-HBG, 3-15-CV-420-TAV-HBG, 3-15-CV-460-TAV-HBG, 3-15-CV-462-TAV-HBG, 3-16-CV-635-TAV-HBG, 3-17-CV-282-TAV-HBG, 3-17-CV-547-TAV-HBG, 3-18-CV-153-TAV-HBG, 3-19-CV-219-TAV-HBG**

**No. M2021-01239-SC-R23-CV**

**Date Printed: 10/19/2021**

**Notice / Filed Date: 10/18/2021**

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**NOTICE - Initiating Document - SCt Rule 23 Certified Question**

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A Certification Order pursuant to Rule 23 of the Supreme Court Rules was filed in the Supreme Court on the above date.

The following question was certified to the Tennessee Supreme Court: (1) Are requirements of TSCPA an affirmative defense...? (2) Do TSCPA's requirements apply to all cases involving exposure to silica or mixed dust... ? (3) Does coal ash, which contains silica, fibrogenic dusts... apply in these cases? (4) If coal ash does qualify as silica or mixed dust, does TSCPA apply...?.

Pursuant to Rule 23 of the Supreme Court Rules, the Movant's initial brief shall be filed within 20 days of the filing of the Certification Order. The Adverse Party's responsive brief shall be filed within 20 days of the filing of the Movant's initial brief. The Movant may then file a reply brief within 10 days of the filing of the Adverse Party's responsive brief. Please use the assigned appeal number on all future filings.

James M. Hivner  
Clerk of the Appellate Courts

APPELLATE COURT CLERK'S OFFICE

James M. Hivner, Clerk

Supreme Court Building

Supreme Court Building  
401 7th Avenue North

NASHVILLE TENNESSEE 37218-1103

NASHVILLE, TENNESSEE 3/219-1407

NASHVILLE, TENNESSEE 37219-1407

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Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

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Case 3:13-cv-00505-TAV-SKL Document 798 Filed 10/25/21 Page 3 of 3 PageID #: 26572